



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/536,781

10/11/2005

Nigel Paul Schofield

M02B162

4221

71134

7590

06/01/2009

Edwards Vacuum, Inc.

2041 MISSION COLLEGE BOULEVARD

SUITE 260

SANTA CLARA, CA 95054

EXAMINER

STIMPert, PHILIP EARL

ART UNIT

PAPER NUMBER

3746

MAIL DATE

DELIVERY MODE

06/01/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

***Response to Amendment***

1. The amendments to the specification, drawings, and claims, filed 13 May 2009 have been entered.

***Response to Arguments***

2. Applicant's arguments, see page 7, with respect to the drawings have been fully considered and are persuasive. The objection to the drawings has been withdrawn.

3. Applicant's further arguments have been fully considered but they are not persuasive.

4. In particular, the applicant argues that Stones does not teach the annular ring claimed by the applicant. The applicant correctly understands that the examiner's position is that the rotor body (52) of Stones is interpreted as an annular ring in the current rejection. The examiner notes, as shown in Fig. 3 of Stones, that the rotor body (52) is a hollow cylinder, which shape is substantially annular. Further, the rotor body is fixedly attached to the rotor blades (54), and is thus considered provided thereto. The examiner finds no limitations in the claim which preclude this interpretation. That the annular ring is recited separately is not sufficient to distinguish over Stones; the annular ring (effectively 52), blades (54), and rotor body (9) of Stones can be considered separate elements.

5. With respect to claim 3, the applicant argues that Stones does not teach that "the rotor blades... are provided with the annular ring." Again, the examiner finds no language in the claim which precludes an interpretation in which the hollow cylindrical shaft (52) constitutes the annular ring of the claim. The examiner further notes that

Art Unit: 3746

"provided with" is a broad limitation encompassing many possible structural relationships, including that taught by Stones. The examiner also notes that the "cylindrical rotor body," which the applicant argues (citing the applicant's specification) is a separate element from the annular ring, is not actually claimed: only a "rotor" is claimed, and that further, the rotor (9) of Stones is substantially cylindrical.

6. In view of the foregoing, the rejections of claims 1, 3-5, 7-9, 16, 18, and 19 under 35 U.S.C. 102(b) are maintained.

7. With respect to the rejections under 35 U.S.C. 103(a), the applicant relies on the supposed insufficiency of Stones against claim 1. As such, these rejections are believed to be proper.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Stimpert whose telephone number is (571)270-1890. The examiner can normally be reached on Mon-Fri 7:30AM-4:00PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Devon Kramer can be reached on (571) 272-7118. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3746

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Devon C Kramer/  
Supervisory Patent Examiner, Art  
Unit 3746

/P. S./  
Examiner, Art Unit 3746  
27 May 2009